

0602-1370.1

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE THE REISSUE APPLICATION OF )

Michael George PIERSE )

) Examining Attorney: To Be Assigned  
 ) Art Unit No.: To Be Assigned

Reissue Application No.: To Be Assigned )

Patent No.: 5,996,431 )

Issue Date: Dec. 7, 1999 )

For: TWIST ACTION FRICTION DRIVE )

)

DECLARATION FOR REISSUE OF U.S. PATENT NO. 5,996,431

Honorable Director of  
Patents and Trademarks  
Washington, D.C. 20231

Dear Sir:

As the below-named inventor, I hereby declare that:

1. My residence, mailing address and citizenship are stated below next to my name. I believe I am the original, first and sole inventor of the subject matter which is described and claimed in U.S. Patent No. 5,996,431 (the "431 patent") issued December 7, 1999, and for which a broadened reissue patent is hereby sought in the present reissue application for an invention entitled TWIST ACTION FRICTION DRIVE.

2. Reissue of the '431 patent is being sought to cure one or more errors in the '431 patent.

3. I believe the '431 patent to be wholly or partly inoperative or invalid for the following reasons:

(A) by reason of the patentee claiming less than patentee had a right to claim in the '431 patent; and,

(B) by reason of a defective specification or drawing.

4. In particular independent claim 1 in the '431 patent is believed to be too narrow and Figure 1 of the '431 patent fails to incorporate amendments made thereto during the prosecution of the '431 patent.

5. Independent claim 1 of the '431 patent includes a stipulation that "a driven member which is rotationally fixed relative to the drive bar." I believe that this stipulation could be misconstrued as suggesting that the driven member and the drive bar of the friction drive rotate together, thus making the '431 patent wholly or partially inoperative or invalid by reason of the patentee claiming less than patentee had a right to claim. One skilled in the art will appreciate from the statement of invention set forth in the '431 patent and the present reissue application that the driven member is rotationally fixed, but not to the drive bar. The drive bar rotates the roller means about a second axis which is inclined to the first axis of the rotationally fixed driven member. The roller means is urged against the driven member (generally a tube) and thereby frictionally drives the driven member in a linear direction along the first axis of the rotationally fixed driven member. The driven member does not rotate, but is driven (pushed) linearly along the first axis.

6. It was discovered that Figure 1 of the '431 patent failed to include the amendments thought to be made thereto during prosecution of the '431 patent. More specifically, counsel for the applicant submitted changes to Figure 1 by a letter directed to the Official

Draftsperson dated August 13, 1999. The proposed changes included adding additional reference numerals for the driving head 10, control unit 15, tachometer 17, hydrostatic bearings 20, oil return passage 22 and the corrugated axially extensible tube 40. The changes further included a representation of the control unit 15.

7. I hereby state that I have reviewed and understand the contents of the present reissue application, including the claims as amended in this reissue application.
8. All errors corrected in this reissue application arose without any deceptive intention on the part of the applicants.

9. I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

<u>Country</u>	<u>Number</u>	<u>Date Filed</u>	Priority Claimed
			<u>Yes</u> <u>No</u>
United Kingdom	9618642.4	6 September 1996	✓      —

10. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56, including the obligation to disclose such material information which has come to applicants' attention between the filing date of the prior application and the filing date of this reissue application.

11. I hereby appoint Thomas E. Smith, Registration No. 18,243, Dennis M.

McWilliams, Registration No. 25,195, James R. Sweeney, Registration No. 18,721, William M. Lee, Jr., Registration No. 26,935, Glenn W. Ohlson, Registration No. 28,455, David C. Brezina, Registration No. 34,128, Jeffrey R. Gray, Registration No. 33,391, Timothy J. Engling, Registration No. 39,970, Gerald S. Geren, Registration No. 24,528, Robert F. I. Conte, Registration No. 20,354, Peter J. Shakula, Registration No. 40,808, Wm. Marshall Lee, Registration No. 16,853, and Mark A. Hagedorn, Registration No. 44,731 to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith. It is requested that all communications be directed to:

William M. Lee, Jr.  
Lee, Mann, Smith, McWilliams, Sweeney & Ohlson  
P.O. Box 2786  
Chicago, Illinois 60690-2786  
Telephone: (312) 368-1300  
Telecopier: (312) 368-0034

12. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this reissue application or any patent issued thereon.

Full name of sole inventor: Michael George Pierse.

Signature 

Date 16 Nov. 2001

Country of Residence: United Kingdom  
Country of Citizenship: British Subject  
Post Office and Residence : 216 Castle Road  
Bedford, MK40 3TY  
United Kingdom

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**CONSENT OF ASSIGNEE TO REISSUE, STATEMENT UNDER 37 CFR 3.73(b), AND  
OFFER TO SURRENDER ORIGINAL PATENT**

Unova U.K. Limited, the assignee of the entire right, title and interest to U.S. Patent No.

5,996,431, consents to the filing of the present application filed herewith for reissue of U.S. Patent

No. 5,996,431.

An assignment of patent application Serial No. 09/051,248 which resulted in U.S. Patent

No. 5,996,431, from the inventor, Michael George Pierse, to Unova U.K. Limited, is recorded

against U.S. Patent No. 5,996,431 at Reel/Frame 9149/0412 with a recordation date of April 2, 1998.

Unova U.K. Limited hereby offers to surrender the original U.S. Patent No. 5,996,431 for purposes of reissue thereof.

UNOVA U.K. LIMITED

Date: 22<sup>nd</sup> November 2001



Signature

ROY ARTHURTON

Typed or printed name

COMPANY SECRETARY

Title